

**Amendments to the Claims:**

Please cancel claims 10 and 17-23.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-8 (cancelled)

9. (Currently amended) A method of generating a stably transformed barley plant comprising a Ds element, the method comprising introducing the Ds element comprising an expression cassette into a barley plant population, whereby the Ds element reintegrates into a barley plant genome through ~~transposon-mediated~~ transposase-mediated excision; and selecting a barley plant in which the Ds element is reintegrated, thereby obtaining the stably transformed barley plant.

10. (Cancelled)

11. (Previously presented) The method of claim 9, wherein the Ds element is introduced into the barley plant population using bombardment-mediated transformation of plant cells followed by regeneration of plants from the cells.

12. (Previously presented) The method of claim 9, further comprising introducing a nucleic acid sequence encoding an Ac transposase into the barley plant population.

13. (Original) The method of claim 12, wherein the nucleic acid sequence encoding an Ac transposase is introduced by a sexual cross.

14. (Original) The method of claim 12, wherein the nucleic acid sequence encoding an Ac transposase is in an Ac element.

15. (Original) The method of claim 14, wherein the Ac element is linked to a negative selectable marker.

Appl. No. 09/384,811

PATENT

Amdt. dated March 5, 2004

Amendment under 37 CFR 1.116 Expedited Procedure

Examining Group

16. (Original) The method of claim 15, wherein the negative selectable marker is *codA*.

Claims 17-25. (Cancelled)

26. (New) The method of claim 9, wherein the step of selecting comprises selecting barley plants in which a single copy of the Ds element is reintegrated.